

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**PATRISHA MOORE,**

**Plaintiff,**

**vs.**

**MICHAEL J. ASTRUE,  
COMMISSIONER OF  
SOCIAL SECURITY,**

**Defendant.**

**Case No. 08-4030-JAR**

**ORDER ADOPTING RECOMMENDATION AND REPORT**

Ten days having passed, and no written objections being filed to the proposed findings and recommendations filed by Magistrate Judge Donald W. Bostwick, and after a de novo determination upon the record pursuant to Fed. R. Civ. P. 72(b), the Court accepts the recommended decision and adopts it as its own.

**IT IS THEREFORE ORDERED** that the decision of the Commissioner be reversed, and that the case be remanded pursuant to the fourth sentence of 42 U.S.C. § 405(g), for an immediate award of benefits in accordance with the January 13, 2009 Recommendation and Report (Doc. 21).

**IT IS SO ORDERED.**

Dated this 28<sup>th</sup> day of January 2009.

**Dated: January 28, 2009**

**S/ Julie A. Robinson  
JULIE A. ROBINSON  
UNITED STATES DISTRICT JUDGE**

